

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Toth, Romero, Jr.

H.B. No. 2858

A BILL TO BE ENTITLED

AN ACT

relating to adoption of a uniform swimming pool and spa code for use in municipalities in this state.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Subchapter C, Chapter 214, Local Government Code, is amended to read as follows:

SUBCHAPTER C. SWIMMING POOLS AND SPAS [~~POOL ENCLOSURES~~]

SECTION 2. Subchapter C, Chapter 214, Local Government Code, is amended by adding Section 214.103 to read as follows:

Sec. 214.103. INTERNATIONAL SWIMMING POOL AND SPA CODE.

(a) In this section, "International Swimming Pool and Spa Code" means the International Swimming Pool and Spa Code promulgated by the International Code Council.

(b) To protect the public health, safety, and welfare, the International Swimming Pool and Spa Code, as it existed on May 1, 2019, is adopted as the municipal swimming pool and spa code in this state.

(c) The International Swimming Pool and Spa Code applies to all construction, alteration, remodeling, enlargement, and repair of swimming pools and spas in a municipality that elects to regulate pools or spas, including under Section 214.101.

(d) A municipality may establish procedures for:

(1) the adoption of local amendments to the International Swimming Pool and Spa Code; and

1           (2) the administration and enforcement of the  
2 International Swimming Pool and Spa Code.

3           (e) A municipality may review and adopt amendments made by  
4 the International Code Council to the International Swimming Pool  
5 and Spa Code after May 1, 2019.

6           SECTION 3. This Act takes effect September 1, 2019.

**ADOPTED**

✓✓  
MAY 21 2019

FLOOR AMENDMENT NO. 1

*Atty. Gen.*  
Secretary of the Senate

BY:

*C. [Signature]*

1 Amend H.B. No. 2858 (senate committee printing) in SECTION 3  
2 of the bill adding effective date language (page 1, line 47) by  
3 striking "2019" and substituting "2021".

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 22, 2019**

**TO:** Honorable Dennis Bonnen, Speaker of the House, House of Representatives

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB2858** by Toth (Relating to adoption of a uniform swimming pool and spa code for use in municipalities in this state.), **As Passed 2nd House**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would amend the Local Government Code to adopt the International Swimming Pool and Spa Code as the municipal swimming pool and spa code in the state. The bill would authorize municipalities to establish procedures for the enforcement and amendment of this code.

**Local Government Impact**

According to the Texas Municipal League, no significant fiscal impact to cities is anticipated.

**Source Agencies:**

**LBB Staff:** WP, CLo, AF, SD, GP

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 14, 2019**

**TO:** Honorable Kelly Hancock, Chair, Senate Committee on Business & Commerce

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB2858** by Toth (Relating to adoption of a uniform swimming pool and spa code for use in municipalities in this state.), **As Engrossed**

<b>No fiscal implication to the State is anticipated.</b>
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**Local Government Impact**

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**Source Agencies:**

**LBB Staff:** WP, CLo, AF, SD, GP

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**April 12, 2019**

**TO:** Honorable Angie Chen Button, Chair, House Committee on Urban Affairs

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB2858** by Toth (Relating to adoption of a uniform swimming pool and spa code for use in municipalities in this state.), **Committee Report 1st House, Substituted**

**No fiscal implication to the State is anticipated.**

The bill would amend the Local Government Code to adopt the International Swimming Pool and Spa Code as the municipal swimming pool and spa code in the state. The bill would authorize municipalities to establish procedures for the enforcement and amendment of this code.

**Local Government Impact**

According to the Texas Municipal League, no significant fiscal impact to cities is anticipated.

**Source Agencies:**

**LBB Staff:** WP, AF, SD, GP

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**April 2, 2019**

**TO:** Honorable Angie Chen Button, Chair, House Committee on Urban Affairs

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB2858** by Toth (Relating to adoption of a swimming pool and spa code for use in municipalities in this state.), **As Introduced**

**No fiscal implication to the State is anticipated.**

The bill would amend the Local Government Code to adopt the International Swimming Pool and Spa Code as the municipal swimming pool and spa code in the state. The bill would authorize municipalities to establish procedures for the enforcement and amendment of this code.

**Local Government Impact**

According to the Texas Municipal League, no significant fiscal impact to cities is anticipated.

**Source Agencies:**

**LBB Staff:** WP, AF, SD, GP